

IN THE NAME OF THE PEOPLE OF THE STATE OF ILLINOIS
ILLINOIS WORKERS' COMPENSATION COMMISSION
SUBPOENA



David Hendy
Employee/Petitioner

Case # **02 WC 29522**

v. _____

Thatcher Engineering
Employer/Respondent

To: **Environmental Protection Agency; 77 W. Jackson Blvd.; Chicago, IL 60604, ATTN: Legal Department, Burt Frey MC: C14J 312/886-1308**

YOU ARE COMMANDED TO PROVIDE THE FOLLOWING ITEMS THAT ARE IN YOUR POSSESSION OR CONTROL:

Any and all documents regarding, referring to or reporting disposal of silica dust, asbestos and contaminants at the Soldier Field, Chicago, IL construction job site in 2002

☐ YOU MUST APPEAR TO TESTIFY BEFORE THE HONORABLE _____ OF THE
COMMISSION AT THE ADDRESS _____
ON THE DATE _____ AT THE TIME _____, TO BRING THE ITEMS WITH YOU.

☒ MAIL THE ITEMS TO THE ADDRESS **Brustin & Lundblad, Ltd., 10 N. Dearborn St., 7th Floor, Chicago, IL 60602**
BY THE DATE **11/4/2016**. YOU DO NOT NEED TO APPEAR AT THE COMMISSION.
DO NOT MAIL THE ITEMS TO THE COMMISSION.

Charles E. Webster
Name of person requesting this subpoena

312-263-1250
Telephone number

cwebster@mablawltd.com
Email address

**FAILURE TO RESPOND
TO THIS SUBPOENA MAY SUBJECT
YOU TO THE PENALTIES
PRESCRIBED BY LAW.
(SEE STATUTES: 820 ILCS 305/16; RULES: 7030.50)**

Chairman Joanna M. Fratianni
10-18-16
Date

The legislature changed the name of the Illinois Industrial Commission to the Illinois Workers' Compensation Commission, effective 1/1/05. The law states that any reference to the Industrial Commission—such as those that appear below—shall be considered a reference to the Workers' Compensation Commission.

From the *Rules Governing Practice Before the Industrial Commission*
50 Illinois Administrative Code
Section 7030.50 Subpoena Practice

a) Issuance

A blank form of subpoena for the attendance of witnesses or the production of documents will be furnished by the Secretary of the Commission upon request of the parties or their attorneys.

b) Use

Unless otherwise agreed by the parties, witnesses or documents may only be subpoenaed to appear or be produced at the time and place set for hearing of the cause.

c) Service

Personal service of the subpoena is required and payment of statutory fee and travel expense must accompany the service.

d)

- 1) Upon failure of any person, firm or organization to obey a subpoena of the Illinois Industrial Commission, a party seeking enforcement of the subpoena, or his attorney, shall prepare an application to the Circuit Court of the county in which the hearing or claim is pending requesting enforcement of the subpoena pursuant to Section 16 of the Illinois Workers' Compensation Act and shall present, file and serve on opposing party said application together with the original subpoena and proof of service to the Arbitrator or Commissioner designated to hear the said claim, or if no Arbitrator or Commission has been designated, then to the Chairman of the Commission.
- 2) A hearing pursuant to Section 7020.70 shall be held at which the Commissioner or Arbitrator to whom the application is presented shall determine if the subpoena requested relevant information, and was properly issued and served and if the application is proper in form. If the said Commissioner or Arbitrator shall so find, then, he or she shall sign the application. The party seeking enforcement of the subpoena, or his attorney, may then file and prosecute the application in the Circuit Court.

**ILLINOIS WORKERS' COMPENSATION COMMISSION
PROOF OF SERVICE**

ATTENTION: If the person who signed the *Proof of Service* is not an attorney, this form must be notarized.
Service for documents related to Section 19(b-1) of the Workers' Compensation Act must be made by personal service or certified mail.

I, **Lori Stalter**, affirm that I

- ☒ mailed a copy of this form with proper postage in the city of **Chicago**
- ☐ sent a copy of this form by certified mail (return receipt requested)
- ☐ delivered a copy of this form

at **prior to 5:00 PM** on **October 18, 2016** to each party at the address(es) listed below.

Environmental Protection Agency; 77 W. Jackson Blvd.; Chicago, IL 60604, ATTN: Legal Department, Burt Frey MC: C14J

Lori Stalter

Signature of person completing *Proof of Service*

Signed and sworn to before me on 10-18-16

Iesha Gilmore Smith
Notary Public

